

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS M. DELANO,

Defendant.

8:17CR92

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on June 14, 2023 regarding Amended Petition for Offender Under Supervision [106]. Julie Hansen represented the defendant. Mikala Purdy-Steenholdt represented the government on behalf of Thomas Kangior. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held on June 28, 2023. Julie Hansen represented the defendant. Thomas Kangior represented the government. Defendant refused to appear for the hearing on June 28, 2023. The court finds that the defendant failed to meet his/her burden to establish by clear and convincing evidence that he/she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to risk of flight and danger and the defendant shall be detained until further order of the Court.

The defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a correctional facility and shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for an appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated this 28th day of June, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge